

**RESPONSE AFTER FINAL  
EXPEDITED PROCEDURE  
ART UNIT 1632**

**PATENT**  
Attorney Docket No.: JHU1470-3

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Attorney Docket No.: JHU1470-3	
		In re Application of: Lee and McPherron	
		Application No.: 09/841,730	Filed: April 24, 2001
		For: TRANSGENIC NON-HUMAN ANIMALS EXPRESSING A TRUNCATED ACTIVIN TYPE II RECEPTOR (Amended)	
		Art Unit: 1632	Examiner: J.T. Voitach

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 13, 2004 of the Examiner rejecting claims 1-3, 5, 13, 14, 20 and 40 to 45.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))					
		other than small entity		\$330.00			
	<input checked="" type="checkbox"/>	SMALL ENTITY		\$165.00			
2.	<input checked="" type="checkbox"/>	A petition and fee for an extension of time for reply to the rejection is attached.					
<input checked="" type="checkbox"/>	Extension Fee (37 C.F.R. 1.17(a))						
		Other than small entity					
		\$110.00		\$420.00		\$950.00	\$1,480.00
	<input checked="" type="checkbox"/>	SMALL ENTITY					
		\$55.00	<input checked="" type="checkbox"/>	\$155 (\$210 – \$55 previously paid)		\$475.00	\$740.00

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3.	X	Enclosed is Check No. 561115 in the amount of \$320.00 in payment of the notice of appeal fee (\$165.00) and the two (2) month extension of time fee (\$155.00 (\$210 - \$55 previously paid)). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 50-1355.
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Respectfully submitted,

Date: June 10, 2004



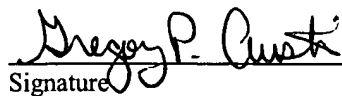
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4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
USPTO CUSTOMER NO. 28213

**CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, **June 10, 2004**, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin  
(Name of person mailing paper)

  
Signature

June 10, 2004  
Date